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TRANSMITTAL FORM

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Total Number of Pages in This Submission

148

Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1634
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Michael J. Gilly		
Date	November 23, 2004	Reg. No.	42,579

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Typed or printed name	Michael J. Gilly	Date	November 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Group Art Unit: 1634
)	
Linnen <i>et al.</i>)	Examiner: Lucas, Zachariah
)	
Serial No.: 10/688,489)	Confirmation No. 3927
)	
Filed: October 16, 2003)	Atty. Docket No.: GP140-04.UT
)	
For: Compositions and Methods for)	
Detecting West Nile Virus)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b) & (c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of the cited non-U.S. patent references is enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

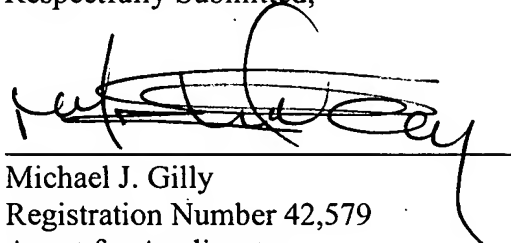
If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of transmission indicated below, then Applicants request that this Information Disclosure Statement be treated as a transmission under 37 C.F.R. 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

IDS

Serial No. 10/688,489
Atty. Docket No. GP140-04.UT

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael J. Gilly", is written over a horizontal line.

Date: November 24, 2004

By:

Michael J. Gilly
Registration Number 42,579
Agent for Applicants

GEN-PROBE INCORPORATED
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1634
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ² *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO2004/092412 A2	10-28-2004	F. Hoffman-LaRoche AG		

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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